

ASSEMBLY BILL

No. 858

Introduced by Assembly Member Bass

February 18, 2005

An act to amend Section 11999.5 of the Health and Safety Code, relating to substance abuse and crime prevention, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 858, as introduced, Bass. Substance abuse and crime prevention: funding.

The Substance Abuse and Crime Prevention Act of 2000, enacted by initiative statute (Proposition 36), established the Substance Abuse Treatment Trust Fund within the State Treasury to be continuously appropriated for carrying out the purposes of the act. The act requires \$120,000,000 to be continuously appropriated from the General Fund to the Substance Abuse Treatment Trust Fund for the 2001–02 fiscal year, and an additional sum of \$120,000,000 for each subsequent fiscal year, concluding with the 2005–06 fiscal year. The act provides that the Legislature is not precluded from making additional appropriations to the fund. The act requires that any amendment to the act pass with a $\frac{2}{3}$ vote of the membership of both houses of the Legislature and requires amendments to be consistent with the act's purposes.

This bill would remove the 2005–06 concluding fiscal year reference and would instead require \$120,000,000 to be continuously appropriated from the General Fund to the Substance Abuse Treatment Trust Fund for an unlimited number of fiscal years.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11999.5 of the Health and Safety Code
2 is amended to read:
3 11999.5. Funding Appropriation
4 Upon passage of this act, \$60,000,000 shall be continuously
5 appropriated from the General Fund to the Substance Abuse
6 Treatment Trust Fund for the 2000–01 fiscal year. There is
7 hereby continuously appropriated from the General Fund to the
8 Substance Abuse Treatment Trust Fund an additional
9 \$120,000,000 for the 2001–02 fiscal year, and an additional sum
10 of \$120,000,000 for each ~~such~~ subsequent fiscal year ~~concluding~~
11 ~~with the 2005–06 fiscal year~~. These funds shall be transferred to
12 the Substance Abuse Treatment Trust Fund on July 1 of each of
13 these specified fiscal years. Funds transferred to the Substance
14 Abuse Treatment Trust Fund are not subject to annual
15 appropriation by the Legislature and may be used without a time
16 limit. Nothing in this section precludes additional appropriations
17 by the Legislature to the Substance Abuse Treatment Trust Fund.